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February 10, 1984

Alan S. Rosenthal, Chairman  
Administrative Judge  
Atomic Safety and Licensing  
Appeal Board  
U.S. Nuclear Regulatory  
Commission  
Washington, D.C. 20555

Christine N. Kohl  
Administrative Judge  
Atomic Safety and Licensing  
Appeal Board  
U.S. Nuclear Regulatory  
Commission  
Washington, D.C. 20555

Dr. Reginald L. Gotchy  
Administrative Judge  
Atomic Safety and Licensing  
Appeal Board  
U.S. Nuclear Regulatory  
Commission  
Washington, D.C. 20555

Re: In the Matter of Commonwealth Edison Company  
(Byron Nuclear Power Station, Units 1 and 2)  
Docket Nos. 50-454 and 50-455

Dear Administrative Judges:

Pursuant to Applicant's obligation under Duke Power Co. (William B. McGuire Nuclear Station, Units 1 and 2), ALAB-143, 6 AEC 623, 625-26 (1973), we are furnishing the following documents which are relevant to matters discussed in the Licensing Board's January 13, 1984 initial decision (LBP-84-2), 19 NRC \_\_\_\_\_):

I. Enforcement Actions

A. Dresden Station, Unit No. 2, EA 83-103

1. Letter from James G. Keppler to James J. O'Connor dated November 18, 1983 (Attachment 1).
2. Letter from Cordell Reed to R. C. DeYoung dated January 20, 1984 (Attachment 2).

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B. LaSalle County Station, Unit 1, EA 83-134

1. Letter from Cordell Reed to R. C. DeYoung dated January 18, 1984 (Attachment 3).
2. Letter from James G. Keppler to J. J. O'Connor dated December 21, 1983 (Attachment 4).

C. LaSalle County Station, Unit 1, EA 83-59

1. Letter from C. W. Schroeder to R. C. DeYoung dated December 20, 1983 (Attachment 5).
2. Letter from R. C. DeYoung to James J. O'Connor dated November 30, 1983 (Attachment 6).
3. Letter from Cordell Reed to James G. Keppler dated September 6, 1983 (Attachment 7).
4. Letter from James G. Keppler to James J. O'Connor dated August 9, 1983 (Attachment 8).

D. Zion Station, Units 1 and 2, EA 83-72

1. Letter from D. L. Farrar to R. C. DeYoung dated December 7, 1983 (Attachment 9).
2. Letter from R. C. DeYoung to Cordell Reed dated November 9 1983 (Attachment 10).
3. Letter from James G. Keppler to James J. O'Connor dated August 24, 1983 (Attachment 11).

E. Zion Station, Units 1 and 2, EA 83-29

1. Letter from Cordell Reed to R. C. DeYoung, dated August 12, 1983 (Attachment 12).
2. Letter from R. C. DeYoung to James J. O'Connor dated July 26, 1983 (Attachment 13).

3. Letter from Cordell Reed to James G. Keppler dated June 9, 1983 (Attachment 14).
  4. Letter from James G. Keppler to Cordell Reed dated May 3, 1983 (Attachment 15).
- F. Quad Cities Station, Unit 1, EA 83-44
1. Letter from B. L. Thomas to James G. Keppler dated August 12, 1983 (Attachment 16).
  2. Letter from James G. Keppler to James J. O'Connor dated June 21, 1983 (Attachment 17).
- G. Braidwood Station, Units 1 and 2, EA 82-136
1. Letter from Cordell Reed to R. C. DeYoung dated July 27, 1983 (Attachment 18).
  2. Letter from R. C. DeYoung to James J. O'Connor dated June 27, 1983 (Attachment 19).
- H. Quad Cities Station, Units 1 and 2, EA 82-19
1. Letter from Cordell Reed to Director, Office of Inspection and Enforcement, USNRC, dated May 9, 1983 (Attachment 20).
  2. Letter from James G. Keppler to James J. O'Connor dated April 11, 1983 (Attachment 21).
- I. Dresden Station, Units 2 and 3, Quad Cities Station, Units 1 and 2, EA 82-141
1. Letter from Cordell Reed to Director, Office of Inspection and Enforcement, USNRC, dated April 14, 1983 (Attachment 22).
  2. Letter from James G. Keppler to James J. O'Connor, dated February 16, 1983 (Attachment 23).

II. Reinspection Program Audits and Surveillances

1. Commonwealth Edison Audit of Byron Reinspection Program Audit No. 6-83-66 with close-out documentation (Attachment 24).

2. Commonwealth Edison Quality Assurance Audit, Byron Site Reinspection Program, November 14-17, 1983, No. 6-83-93, with close-out documentation (Attachment 25).
3. Commonwealth Edison Audit Report, Hatfield Electric Company, Audit No. 6-83-124, with close-out documentation (Attachment 26).
4. Byron Site QA Surveillance Report No. 5753 (Attachment 27).
5. Byron Site QA Surveillance Report No. 5682 (Attachment 28).
6. Byron Site QA Surveillance Report No. 5700 (Attachment 29).

III. NRC Special Inspection Regarding Worker Allegations

1. Letter from R. C. Knop to Cordell Reed dated January 30, 1984 (Attachment 30).

Attachments 1 through 23 pertain to enforcement proceedings involving the imposition, or proposed imposition, of civil penalties by the NRC on Commonwealth Edison Company. See LBP-84-2, slip op. pp. 131-136. Attachments 18 through 23 discuss civil penalties which were pending during the March and April hearings on quality assurance matters and have subsequently been paid. One of the civil penalty proceedings (Attachments 20 and 21) was the subject of a stipulation between the parties filed with the Licensing Board, but not referred to in its initial decision. (See letter from Jane M. Whicher to Licensing Board dated June 29, 1983.) Attachments 3 through 17 discuss civil penalties which were proposed and paid following the hearings. Attachments 1 and 2 relate to a pending enforcement action.

In view of the fact that the Company's enforcement action history was raised as an issue by the Intervenor, we recognize that the information is relevant to the matters under adjudication. None of the civil penalties, either proposed or paid, concern Byron Station. Only one, the Braidwood Station civil penalty (Attachment 18), which was the subject of findings by the Licensing Board (Initial Decision, WD-26-D-30) relates to plants under construction. We acknowledge that information concerning certain of these



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enforcement actions mentioned above should have been provided to the Board at an earlier date. The failure to have provided the information earlier is due to inadvertence arising out of miscommunications internal to Commonwealth Edison Company and Isham, Lincoln & Beale.

Attachments 24 through 29 are Commonwealth Edison Company audit surveillance reports which relate to the reinspection program. Attachment 24 is audit report package 6-83-66. The audit report was previously provided to Intervenor during the August hearings. The surveillance reports attached to the audit report document follow-up actions taken in response to the audit. All findings and observations have been closed.

Attachment 25 is audit report package 6-83-93. Finding #1, as explained in Surveillance Report Number 5696, remains open pending further follow-up action.

Attachment 26 is audit report package 6-83-124. Findings 1 and 2 remain open pending further follow-up action as explained in surveillance reports 5275 and 5274.

Attachments 27 through 29 are surveillance reports which relate to the reinspection program, but which were not tied to a quality assurance audit. As explained in the reports the surveillances are considered closed.

Attachment 30 is a report of the NRC Staff's special inspection regarding worker allegations concerning construction activities at Byron Station. The report also summarizes the Region III inspections as of November 22, 1983 relative to the reinspection program.

Very truly yours,

Michael I. Miller  
One of the Attorneys for  
Commonwealth Edison Company

MIM:gi  
Enclosures

cc: (w/enclosures) Service List